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EXAMINER
BOYCE, ANDRE D

ART UNIT	PAPER NUMBER
3623	

DATE MAILED: 09/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Applicati n No.	Applicant(s)	
	09/620,199	PARKER ET AL.	
	Examiner	Art Unit	
	Andre Boyce	3623	

-- The MAILING DATE f this communication appears on the c ver sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 July 2000* .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 July 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. Claims 1-42 have been examined.

Specification

2. The abstract of the disclosure is objected to because it is longer than 150 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-20, 22, 24-29, 30-33, and 35-39 are rejected under 35 U.S.C. 102(b) as being anticipated by Edgar et al (USPN 5,848,395).

As per claim 1, Edgar et al disclose method in a computer system for dynamically creating a schedule of timeslot segments for a plurality of routes and timeslots (appointment booking and scheduling system 10), the method comprising: determining from a calendar, a set of possible route types for a selected day and a template identifier (routes 31 contained in table 30 for each day in a predetermined window, see figure 3); based upon the determined set of possible route types, retrieving a set of available route types from a template identified by the template

identifier, wherein the available route types are also members of the set of possible route types (offer of possible appointments to customers, see column 2, lines 20-22); for each available route type, determining a set of routes for the selected day (i.e., routes 31); for each set of routes, creating in a data repository a set of schedulable timeslot segments that correspond to the selected day (database 11, see figure 1).

As per claim 2, Edgar et al disclose for each set of routes, determining a set of timeslots, wherein a portion of the set of schedulable timeslot segments are created to correspond to each timeslot (i.e., the number of routes 31 corresponding to each day in table 30, wherein the route including a start and end time, see column 2, lines 8-11).

As per claim 3, Edgar et al disclose wherein the number of created schedulable timeslot segments that correspond to each timeslot are based upon a potential number of timeslot segments associated with each timeslot (i.e., appointments offered within predetermined time slot associated with each route, see column 2, lines 26-27).

As per claim 4, Edgar et al disclose modifying the template such that data that corresponds to at least one of the set of timeslots for the selected day are changed; and updating the created set of schedulable timeslot segments in the data repository to correspond to the changed data (upon acceptance of offered appointment, the time used and time left fields are updated, see column 2, lines 27-29).

As per claim 5, Edgar et al disclose the template identifier identifies one of the days of a week (see column 1, line 65).

As per claims 6 and 7, Edgar et al disclose a schedulable timeslot segment corresponds to a delivery stop (i.e., delivery of a service), and corresponding to an event (i.e., service engineers visiting customer sites, see column 1, lines 8-9).

As per claim 8, Edgar et al disclose the selected day is a date in the future (predetermined window may cover two weeks form the current date, see column 1, lines 66-67).

As per claim 9, Edgar et al disclose the method is used to create schedulable events for a sequence of days in the future (two weeks form the current date, see column 1, lines 66-67).

As per claim 10, Edgar et al disclose the schedulable timeslot segments are sent to another program to be allocated to actual events (appointment booking scheduler 13, see figure 1).

As per claim 11, Edgar et al disclose the actual events are scheduled delivery orders (i.e., delivery of service order from service engineers visiting customer sites, see column 1, lines 8-9).

As per claim 12, Edgar et al disclose the set of possible route types indicates that no routes are available for the selected day (i.e., total amount of free time is zero, see column 2, lines 56-58).

As per claim 13, Edgar et al disclose the set of possible route types indicates a holiday schedule is available for the selected day (see column 2, lines 42-44).

As per claim 14, Edgar et al disclose each route is based upon geographical data (see column 1, lines 48-50).

As per claim 15, Edgar et al disclose modifying the template such that data that corresponds to at least one of the set of routes for the selected day are changed; and updating the created set of schedulable timeslot segments in the data repository to correspond to the changed data (scheduler uses optimization process to create a new table 30 representing a new set of routes, see column 2, lines 54-56).

As per claim 16, Edgar et al disclose using the determined set of routes to automatically generate in the data repository a set of schedulable timeslot segments that correspond to a different day (done via appointment scheduler).

Claims 17-20 are rejected based upon the rejection of claims 1-3, and 6, respectively, since they are the computer readable medium claims, corresponding to the method claims.

As per claim 22, Edgar et al disclose a schedulable timeslot segment corresponds to a delivery stop (delivery to customer site by service engineer) that is used by an electronic storefront program (scheduling system, including gantt manager interface 15) to schedule a delivery of a product or service.

Claims 24 and 37 are rejected based upon the rejection of claims 1-3, since they are the system and computer readable medium claims, respectively, corresponding to the method claims.

As per claim 25, Edgar et al disclose the available routes, timeslots, and numbers of potential timeslot segments per timeslot are grouped by day of week (tables 30 corresponding to each day of the week, see column 1, lines 64-65).

As per claim 26, Edgar et al disclose the user interface (gantt manager interface 15, see figure 1) comprises a collection of database forms (tables 30).

As per claim 27, Edgar et al disclose the elements comprise a database system (database 11, see figure 1).

As per claim 28, Edgar et al disclose a scheduled timeslot segment for a timeslot, for a route, for a designated calendar day that was created in the data repository is allocated to an order for a product or service (i.e., service engineers visiting customer sites, see column 1, lines 8-9).

As per claim 29, Edgar et al disclose a scheduled timeslot segment for a timeslot, for a route, for a designated calendar day that was created in the data repository is allocated to a particular customer (customer appointment).

As per claim 30, Edgar et al disclose a timeslot segment is allocated to the particular customer based upon a rating system (i.e., the sequence of jobs is based upon the evaluated cost (rating) of the current sequence, see figure 5).

As per claim 31, Edgar et al disclose a method in a computer system for dynamically modifying a schedule for a plurality of timeslots and routes (optimization process, see figure 5), the method comprising: determining a plurality of timeslots for a plurality of routes for a designated time period (allocate jobs to resources for specific times, see column 2, lines 47-49); for a timeslot, creating in a data repository at least one schedulable event (route 31); allocating the schedulable event to an order (start time of route); displaying indications of the plurality of routes, timeslots, and the allocated event (gantt manager interface 15); and in response to receiving

an instruction to increase the number of events for the timeslot (i.e., addition of more appointments), creating in the data repository another schedulable event for the timeslot (optimization of job sequence to create new table 30, see column 2, lines 54-56).

As per claim 32, Edgar et al disclose performing an alert when the schedulable event is allocated to the order (trigger number of appointments, see figure 4).

As per claim 33, Edgar et al disclose the alert indicates that the allocated event is within a designated number of schedulable events (predetermined trigger number, see column 2, lines 30-33).

As per claim 35, Edgar et al disclose the instruction to increase the number of events for the timeslot is generated automatically (i.e., the scheduler creates new routes 31, possibly including new start and end times).

As per claim 36, Edgar et al disclose automatically reallocating the order to a different schedulable event (i.e., changing the order of two adjacent jobs in the sequence, see column 3, lines 8-10).

As per claim 38, Edgar et al disclose the collection of zero or more scheduled timeslot segments each having associated locating information (customer site in geographic region) and order information (service engineer visiting a customer site).

As per claim 39, Edgar et al disclose the locating information is geographic data (see column 1, lines 48-50).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 21, 23, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar et al, in view of Ostro (USPN 6,445,976).

As per claims 21, 23, and 40, Edgar et al does not explicitly disclose a schedulable timeslot segment is allocated to an order to delivery groceries, supporting the delivery of a product, and being associated with a distribution facility. Ostro discloses an efficient distribution system for the delivery of products for human consumption (see column 1, lines 49-55), located in a distribution center 1 (see figure 1). Both Edgar et al and Ostro are concerned with efficient delivery of products and services, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include delivery of products from a distribution center, including food products in Edgar et al, as seen in Ostro, thereby providing both an efficient service and product delivery system, making the Edgar system more flexible and robust in handling customer requirements.

7. Claims 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar et al, in view of Powell et al (US 2002/0065700).

As per claim 34, Edgar et al does not explicitly disclose the instruction indicated manually by a user. Powell et al discloses a method for processing service work assignments to a mobile workforce, implemented either manually or by using software (see ¶ 0036 and 0037). Both Edgar and Powell are concerned with the effective distribution of service work assignments, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include manual instructions in Edgar, as seen in Powell, thus providing an option to the scheduler of manually increasing the number of events, thereby maintaining the flexibility of the system.

8. Claims 41 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edgar et al, in view of Lesaint et al (USPN 6,578,005).

As per claims 41 and 42, Edgar et al disclose a method in a computer system for automatically populating a template of delivery information (appointment booking and scheduling system), the method comprising: receiving an indication of a source route and a source day (route 31 representing the particular day); receiving an indication to commence automatic generation of route and delivery information (trigger for appointment booking scheduler); and determining route and delivery stop information for the indicated source route and source day (done via scheduler). Edgar et al does not explicitly disclose receiving an indication of a destination route and a destination day; and after receiving the indication to commence and without receiving additional indications, automatically generating route and delivery stop

information for the indicated destination route and destination day, and zip code information from the source route is automatically copied to the destination route. Lesaint et al disclose generation of an initial schedule, including a tour (i.e., route) of each technician, determined by a pre-scheduler 30, which takes the data regarding the resources to be allocated (i.e., source route and delivery information, see column 10, lines 14-30). The results (i.e., source information) are then passed to the optimizing subsystem 31, in order to improve parts of the schedule, and produce the final schedule (i.e., destination information, see column 10, lines 61-66). Further, Edgar discloses postal codes (see column 1, line 63), which would be included in the source as well as destination information. Both Edgar and Lesaint are concerned with efficient scheduling of service workers, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include transferring source information from one program to another, thereby creating destination information, in Edgar, as seen in Lesaint, thereby efficiently transferring information in the Edgar system.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Powell et al (US 2001/0049619) discloses allocating appointment time windows.

-Babayev et al (USPN 5615121) discloses scheduling tasks for fulfilling a series of service requests.

-Sisley et al (USPN 5943652) discloses assigning and scheduling resource requests to resource providers.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (703) 305-1867. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (703) 305-9643. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

adb

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